

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: PHARMACEUTICAL INDUSTRY : : MDL NO. 1456
AVERAGE WHOLESALE PRICE : : Master File No. 01-CV-12257-PBS
LITIGATION : :
THIS DOCUMENT RELATES TO: : : Judge Patti B. Saris
ALL CLASS ACTIONS : :
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**DEY, INC. AND DEY, L.P.'S CONSENT MOTION FOR AN
EXTENSION OF TIME TO OPPOSE PLAINTIFFS' MOTION TO COMPEL**

Dey, Inc. and Dey, L.P. ("Dey") hereby move, with the consent of Plaintiffs, for an extension of time to August 1, 2005 to oppose Plaintiffs' Motion to Compel the Production of Documents in the Manner Required by Federal Rule of Civil Procedure 34(b) and the Production of Optical Character Recognition for Electronic Documents, as that motion relates to Dey's production of documents in response to Plaintiffs' Omnibus Requests for Production. The parties have been discussing a resolution of this dispute and believe such resolution is imminent. No further extensions of time are anticipated.

Accordingly, Dey hereby moves for entry of the proposed scheduling order attached hereto.

Dated: July 21, 2005

Respectfully submitted,

KELLEY DRYE & WARREN LLP

By: /s Philip D. Robben

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Attorneys for Dey, Inc. and Dey, L.P.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for Plaintiffs assents to this motion.

/s Philip D. Robben
Philip D. Robben

CERTIFICATE OF SERVICE

I certify that on July 21, 2005, a true and correct copy of the foregoing Consent Motion for an Extension of Time to Oppose Plaintiffs' Motion to Compel was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

/s Philip D. Robben
Philip D. Robben